



IFW

RCE 7851

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

|                        |                            |
|------------------------|----------------------------|
| Application Number     | 09/597,802                 |
| Filing Date            | June 20, 2000              |
| Examiner Name          | M. Cruz                    |
| First Named Inventor   | Scott Joseph Duggan et al. |
| Group Art Unit         | 2851                       |
| Attorney Docket Number | RCA 90040                  |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 26 March 2004  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

b. Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 07-0832

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ 770.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED |                            |                                   |                |
|---|----------------------------|-----------------------------------|----------------|
| Name (Print /Type)                                  | Joseph J. Kolodka, Esquire | Registration No. (Attorney/Agent) | 39,731         |
| Signature   |                            | Date                              | April 29, 2004 |

| CERTIFICATE OF MAILING OR TRANSMISSION  |                            |      |                |
|---|----------------------------|------|----------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: |                            |      |                |
| Name (Print /Type)  | Joseph J. Kolodka, Esquire |      |                |
| Signature   |                            | Date | April 29, 2004 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.**

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01 FC:1801 770.00 DA

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 770

## Complete if Known

Application Number 01104588  
Filing Date 27/JAN/2001  
First Named Inventor SCOTT JOSEPH DUGGAN et al.  
Examiner Name M. Cruz  
Art Unit 2851  
Attorney Docket No. RCA90040

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order

☐ Deposit Account:

Deposit  
Account  
Number

07-0832

Deposit  
Account  
Name

THOMSON LICENSING INC.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 770      | 2001         | 385      | Utility filing fee     |          |
| 1002         | 340      | 2002         | 170      | Design filing fee      |          |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |          |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | (\$ 0)   |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 0                  | 0            | 0              | 0        |
| Independent Claims | 0            | 0              | 0        |
| Multiple Dependent |              |                | 0        |

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |          |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                          |          |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |          |
| 1204         | 86       | 2204         | 43       | ** Reissue independent claims over original patent         |          |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) |          |              |          |  | (\$ 0)   |

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity                      |          | Small Entity |          | Fee Description  | Fee Paid |
|-----------------------------------|----------|--------------|----------|--|----------|
| Fee Code                          | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051                              | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052                              | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053                              | 130      | 1053         | 130      | Non-English specification  |          |
| 1812                              | 2,520    | 1812         | 2,520    | For filing a request for reexamination                                     |          |
| 1804                              | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                              | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251                              | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252                              | 420      | 2252         | 210      | Extension for reply within second month                                    |          |
| 1253                              | 950      | 2253         | 475      | Extension for reply within third month                                     |          |
| 1254                              | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |          |
| 1255                              | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     |          |
| 1401                              | 330      | 2401         | 165      | Notice of Appeal   |          |
| 1402                              | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |          |
| 1403                              | 290      | 2403         | 145      | Request for oral hearing   |          |
| 1451                              | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452                              | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453                              | 1,330    | 2453         | 665      | Petition to revive - unintentional   |          |
| 1501                              | 1,330    | 2501         | 665      | Utility issue fee (or reissue)   |          |
| 1502                              | 480      | 2502         | 240      | Design issue fee   |          |
| 1503                              | 640      | 2503         | 320      | Plant issue fee  |          |
| 1460                              | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807                              | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 1806                              | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021                              | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809                              | 770      | 2809         | 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810                              | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801                              | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    | 770      |
| 1802                              | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) _____         |          |              |          |  |          |
| *Reduced by Basic Filing Fee Paid |          |              |          |  |          |
| SUBTOTAL (3)                      |          |              |          |  | (\$ 770) |

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type) JOSEPH J. KOLODKA Registration No. (Attorney/Agent) 39731 Telephone +1 609 734-6816  
Signature [Signature] Date April 29, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.